



National curriculum tests maladministration procedures

March 2007

QCA/07/3097

Contents

1. Purpose of document	3
2. Scope	4
3. General principles of national curriculum tests maladministration investigations	5
4. Sources of allegations.....	7
4.1. Whistleblower allegation.....	7
4.2 School self-reporting.....	7
4.3. Monitoring visit.....	8
4.4. Marker concerns.....	8
5. Processing allegations of maladministration	9
5.1 Logging and initial processing and case review meeting	9
5.2 Types of investigations	10
5.3 Case review meeting	11
5.4. National curriculum tests (NCT) maladministration committee.....	13
5.5 Appeals process	13
Appendix A. Maladministration.....	14
Appendix B. National curriculum tests maladministration committee procedures.....	17
1. Description and scope of the NCT maladministration committee	17
2. NCT maladministration committee membership 2007 test series	18
3. Attendance at the NCT maladministration committee	19
4. Conduct of investigations	19
5. Conduct of NCT maladministration committee meetings	19
6. 2007 test series NCT maladministration committee timeline.....	22
7. Appeals process	22
Appendix C. Maladministration flow chart	23

1. Purpose of document

The Qualifications and Curriculum Authority (QCA) is statutorily obliged to investigate any matter brought to its attention relating to the accuracy or correctness or otherwise of any results of any pupil in respect of the statutory key stage 2 and key stage 3 national curriculum tests administered under *The education (national curriculum) (key stage 2 assessment arrangements) (England) order 2003* and *The education (national curriculum) (key stage 3 assessment arrangements) (England) order 2003*. Such matters are referred to in this document as ‘allegations of maladministration’.

The part of QCA that carries out the investigations is the National Assessment Agency (NAA) national curriculum tests (NCT) maladministration team. The purpose of this document is to give an overview of the procedures used by the NCT maladministration team when investigating allegations of maladministration in the statutory end of key stage 2 and key stage 3 national curriculum tests. This document will also provide headteachers, teachers, others working in and with schools, and members of the public with information on the following:

- what constitutes maladministration in national curriculum tests
- how cases of suspected maladministration in national curriculum tests are reported to NAA
- how a case of alleged maladministration will be investigated
- possible outcomes of an investigation into alleged maladministration.

The guidance in this document refers to investigations carried out from 2007 onwards only. This document should be read alongside the following documents:

- the 2007 *Assessment and reporting arrangements* (ARA) booklet for the relevant key stage
- the *Test administrators’ guide* for the relevant key stage
- the *Maladministration policy*¹
- the *NCT maladministration committee procedures*.²

¹ See Appendix A.

² See Appendix B.

2. Scope

The NAA, acting as part of QCA, has a statutory duty³ to investigate any matter brought to its attention which relates to the accuracy or correctness or otherwise of any results of any pupil in respect of the statutory end of key stage 2 and key stage 3 national curriculum tests. The aim of this remit is to safeguard the integrity of the statutory end of key stage 2 and key stage 3 national curriculum tests and the interests of pupils.

The role of NAA is to ensure that the tests are administered according to the guidance in the ARA booklet for the relevant key stage and to ensure that the tests are accurately marked and that the results are reported accurately and on time. Pupils' test results should accurately reflect their own unaided work on the day of the test. If a test result is deemed not to reflect the pupil's own unaided work or there have been errors in the administration of the tests that put the pupil's results in doubt, then the pupil's result may be annulled or changed.

The sole interest of NAA in investigating cases of alleged maladministration is to determine whether there is doubt over the correctness or accuracy of pupil results. NAA does not have a remit to investigate who is responsible for any maladministration and hence does not apportion blame or take part in any subsequent disciplinary procedures relating to any alleged cases of maladministration. NAA will endeavour to protect the identity of those accused of maladministration.

³ *The education (national curriculum) (key stage 2 assessment arrangements) (England) order 2003* and *The education (national curriculum) (key stage 3 assessment arrangements) (England) order 2003*.
© 2007 Qualifications and Curriculum Authority

3. General principles of national curriculum tests maladministration investigations

NAA NCT maladministration team will carry out investigations into allegations of maladministration in accordance with the published *Maladministration policy* and this procedures document. Where appropriate, the NCT maladministration team will be supported in carrying out the investigation by the relevant local authority (LA).

In particular:

- all investigations will be rigorous and fair and conducted without bias
- all allegations of maladministration will be investigated
- the NCT maladministration team will endeavour to protect the identity of whistleblowers
- information specific to individual cases will remain confidential to involved parties subject to compliance with their statutory obligations pursuant to the Data Protection Act 1998 and the Freedom of Information Act 2000
- all the NCT maladministration team staff engaged in maladministration investigations will be fully trained in the required procedures and adhere to the NAA code of conduct
- all LA staff involved in carrying out investigations on behalf of NAA will be fully briefed and provided with a specification for the investigation
- where an allegation of maladministration is received, schools will be informed in circumstances where an allegation proceeds to a full investigation by the NCT maladministration team or where the team considers notification to be appropriate and given an opportunity to provide details of their actions either in writing or through a face-to-face meeting
- in circumstances where an allegation proceeds to a full investigation by the NCT maladministration team, schools will receive copies of those documents which relate to the investigation and which the team deems appropriate and will be invited to respond by providing their own reports or evidence in rebuttal
- the team will take any recommendations for annulment or change to results to the NCT maladministration committee for a final decision to be made⁴
- schools will have the right to appeal against decisions made by the NCT maladministration committee

⁴ Full details of the committee process are available in the *NCT maladministration committee procedures* document in Appendix B.
© 2007 Qualifications and Curriculum Authority

- the NCT maladministration team will provide an annual report to QCA and the DfES on its investigations into cases of alleged maladministration
- these investigation procedures will be subject to annual review.

4. Sources of allegations

4.1. Whistleblower allegation

Any person who has concerns about the way in which the statutory end of key stage 2 or key stage 3 national curriculum tests were administered in a school should contact NAA on 08700 60 60 40. Details on how tests should be administered are found in the ARA booklets. Electronic versions of these booklets (eARA) are available at www.naa.org.uk/tests. All telephone calls will be treated in line with the QCA's complaints procedure, which is available at www.qca.org.uk/7433.html. This policy states that NAA will endeavour to ensure that the name of the person making the allegation remains confidential.

The NCT maladministration team will ask for the following details when informed of an allegation of maladministration:

- the name of the person making the allegation – it is more difficult for the team to fully investigate anonymous allegations
- contact details for the caller – address and/or phone number
- the name and address of the school where the alleged maladministration took place
- the key stage, subjects and tests affected by the alleged maladministration
- the nature of the alleged maladministration.

These details will be logged on the NAA NCT maladministration team maladministration database and progressed to the next stage of the process (logging and initial processing). The team does not keep whistleblowers informed of the progress or outcome of an investigation.

4.2 School self-reporting

If a school believes that a statutory end of key stage 2 or key stage 3 national curriculum tests has not been administered correctly or there has been a possible security breach of the test materials, they must contact NAA immediately on 08700 60 60 40 or by email to maladministration@naa.org.uk. The NCT maladministration team will log the incident and inform the school of the appropriate action to take. If the incident could mean that the accuracy or correctness of the pupils' results is in doubt or the correct procedures for administration of the tests have not been followed, an investigation will be carried out to determine whether any further action needs to be taken.

If a school feels that a pupil has cheated in the tests and that the accuracy or correctness of his/her results may have been affected, it should complete and submit the online 'Pupil cheating form' available at www.naa.org.uk/testforms on the NAA *Test forms* website. By completing and submitting this form, the headteacher will be agreeing to either an annulment or an appropriate change to the result for the pupil concerned, as detailed on the form.

4.3. Monitoring visit

LAs have a statutory duty to make unannounced monitoring visits to at least 10 per cent of schools in their authority that will be administering the statutory end of key stage 2 and end of key stage 3 national curriculum tests in that year. These monitoring visits can take place before, during and after the test period. NAA is responsible for making monitoring visits to independent schools and 10 per cent of participating independent schools are monitored by NAA's appointed agency. In addition, NAA carries out a number of monitoring visits throughout the country. Most visits will not find any cause for concern. However, if an LA or NAA monitor finds that administration procedures have not been followed correctly, he or she will notify the NCT maladministration team, which will then decide whether further investigation is required.

A monitoring visit form is completed for every visit and schools will be given a copy regardless of whether any concerns were raised. A copy of the guidance given to those who carry out monitoring visits is available from NAA on request.

4.4. Marker concerns

Markers are asked to look for evidence of maladministration or evidence of a pupil cheating when marking scripts. If a marker has concerns with any script(s), they will inform NAA external marking agency, which will forward the relevant information to the NCT maladministration team. The team will then decide whether further investigation is required.

5. Processing allegations of maladministration

5.1 Logging and initial processing and case review meeting

When an allegation of maladministration is made to the NCT maladministration team, the details are logged on a database and the team will then decide what action needs to be taken. There are three options at this point. If it is not immediately clear which of these three actions to take, the case will be referred to a case review meeting attended by all members of the NCT maladministration team, together with an independent adviser. The case will be discussed and a decision reached as to which of the following three actions is appropriate.

5.1.1 No maladministration

If the NCT maladministration team finds that they do not need to carry out any further investigation and that no maladministration has taken place, it will close the case taking no further action. If a school is aware that an allegation had been made or had self-reported, the NCT maladministration team will send a letter confirming that no action is to be taken, which will be copied to the LA. If a school was not aware of the allegation (eg the allegation arose from a marker's concerns and was felt not to be a cause for concern following investigation) the school will not be informed.

5.1.2 Minor maladministration

If the NCT maladministration team has evidence that maladministration has occurred, but that such maladministration does not cast doubt over the accuracy or correctness of a pupil's result such that it is not necessary to change or annul the results as a consequence, they will write to the school informing them. This letter will instruct schools to ensure that such maladministration does not occur in the future and detail appropriate action to take. Schools may be asked to confirm their actions to the NCT maladministration team in writing.

5.1.3 Further investigation required

If there is not sufficient information on which to decide whether maladministration has occurred, NCT maladministration team will ask for further investigation. This investigation may be carried out by the school, LA or the NCT maladministration team and may involve an investigation of the pupils' test scripts. Schools will receive formal written notification of the final decision made.

5.2 Types of investigations

5.2.1 Investigation by school

Some allegations that require further investigation can be closed through discussion with the school. In such cases, the NCT maladministration team will contact the school, discuss the allegation and resolve the case. All discussions will be noted for audit purposes. Such cases will usually be discussed at a case review meeting. Schools will receive formal written notification of the final decision made.

5.2.2 Investigation by NAA and/or LA

If the NCT maladministration team decides that a more extensive investigation is required, a specification for that investigation will be produced. The specification will detail:

- the purpose of the investigation
- what the investigation needs to determine
- who is to lead the investigation
- who is to be interviewed as part of the investigation.

Appropriately trained staff from the LA and/or NAA will carry out the investigation. NAA's sole interest in investigating allegations of maladministration is to determine whether there is doubt over the correctness or accuracy of pupil results. NAA does not have a remit to investigate who is responsible for any maladministration and hence does not apportion blame or take part in any subsequent disciplinary procedures relating to any alleged cases of maladministration. LAs or governing bodies may, however, wish to determine responsibility as employer, but this will be separate from any investigation made by the LA on behalf of NAA.

Where an investigation is required by the LA and/or NAA, the general nature of the allegation will normally be made known to a school during the course of the investigation, but this will be done at such a time during the investigation so that the investigation is not prejudiced. This will not include any details that could prejudice the examination of the key

facts that are needed to prove or refute the allegation or that indicate the source of the allegation.

Following an investigation, the lead investigator will produce a report on his or her findings and make recommendations. This report will be shared with the school. The school will then be given an opportunity to provide a written response relating to the allegation. The findings from the investigation, the investigator's report and the school's response will be considered with other evidence in order to make recommendations for any further action. The findings will first be considered at a case review meeting by the NCT maladministration team and once all relevant information is collected, a final decision will be made on what, if any, action will follow. A case may be discussed a number of times at case review meetings to ensure all available facts have been considered. Schools will receive formal written notification of the final decision made.

5.2.3 Investigation of scripts

In cases where it is possible that evidence of maladministration may be gained from the scripts themselves, NAA will ask the marker to send the scripts in for further investigation once they have finished marking. Scripts are requested from markers for a variety of purposes, not just investigations of maladministration, and markers will not be informed why the scripts are being requested. An appropriately trained team will examine the scripts to determine whether there is any evidence of maladministration. This could include:

- common answers across a number of pupils' scripts
- excessive changes to answers across a number of scripts
- changes to answers in different pens or a different hand.

The evidence from script investigations is considered with other evidence in order to make recommendations for action. If necessary, scripts may be sent for forensic examination.

5.3 Case review meeting

As well as being a mechanism by which the NCT maladministration team considers the findings of the investigation, the case review meeting is also the forum for the final review of cases and for the NCT maladministration team to determine if any further action is required once all relevant facts have been collected.

The meeting involves the following people:

- case review meeting officer, NCT
- test administration manager, NCT

- test administration team manager, NCT
- head of school support, NCT
- independent adviser to the maladministration project.

The independent adviser is drawn from the nominations of the teacher associations and LAs and works on the project for a maximum of three years. He or she provides the project with an independent voice at an early stage of the process by attending all case review meetings to ensure consistency and fairness.

All information collected on the case is presented at the case review meeting. This could include reports from the school, LA, external marking agency or NAA and outcomes from script investigations including any forensic examination reports. Where it is deemed appropriate, all schools investigated in light of an allegation will be given the opportunity to provide a written response to this meeting before a recommendation is made. All recommendations from case decision meetings will be noted.

The case review meeting can make one of three decisions. It may decide that

- there has been no maladministration and close the case
- there has been minor maladministration, but that doubt is not cast over the accuracy or correctness of a pupil's result such that it is not necessary to amend or annul the results as a consequence
- there is sufficient evidence that major maladministration has occurred such that there is doubt over the correctness or accuracy of a pupil's results.

If a test result is deemed not to reflect the pupil's own unaided work or there have been errors in the administration of the tests which put the pupil's results in doubt, then the decision of the meeting will be to make a recommendation to the NCT maladministration committee that the pupil's results be annulled or appropriately changed. In cases where the advantage gained by a pupil can be quantified or is limited to a small number of questions, the NCT maladministration team will recommend that the marks gained in those elements are removed so that the result is a more accurate reflection of the pupil's own unaided work (eg pupil used a calculator on the non-calculator paper for two questions or pupil was given help reading a word on the *Reading test*). In cases where the advantage cannot be quantified or the number of questions affected is significant, the NCT maladministration team will recommend that the result be annulled. Any recommendation

is made to the NCT maladministration committee,⁵ which will make the final decision. Schools will receive formal written notification of the final decision made.

5.4. National curriculum tests (NCT) maladministration committee⁵

Where a decision is made to make a recommendation to the NCT maladministration committee, the NCT maladministration team will follow the procedures laid out in the *NCT maladministration committee procedures* document. The NCT maladministration team will inform the school of the decision to make a recommendation to the NCT maladministration committee and what that recommendation will be. All further communication with the school concerning the committee meeting will then be via the committee officer who will make all arrangements for the committee meeting and ensure that schools have copies of all relevant documents prior to the meeting.

5.5 Appeals process

Where a school wishes to contest the decision of the NCT maladministration committee, it has a right to appeal. Details of how to appeal will be sent to schools with the decision of the committee.

⁵ Full details of the committee process are available in the *NCT maladministration committee procedures* document in Appendix B.

Appendix A. Maladministration

The NAA has a statutory duty at key stages 2⁶ and 3⁷ to determine whether:

- the national curriculum tests have been administered in accordance with the published policies
- the national curriculum tests have been administered according to the published timetable
- a pupil's written response to the national curriculum tests represents his or her own work

Where the accuracy or correctness of a pupil's result is in doubt, NAA shall determine the result for that pupil (if NAA's determination takes place before the external marking agency has provided the record of results to the headteacher).

In all circumstances where a result is deemed inaccurate or incorrect (whether before or after the external marking agency has provided the record of results to the headteacher), NAA will either:

- change the result to remove or add marks accordingly
- annul the result and award an 'N' for 'no level awarded'.

The following table indicates the types of incident related to test administration that are considered to represent maladministration such that action to change or annul results may be required. This list is not intended to be exhaustive and incidents may arise that are not covered in this table but are deemed by NAA not to be in accordance with national curriculum test policy such that action to change or annul results is required.

In addition, incidents where individuals take action deliberately to advantage pupils such that the results do not represent a pupil's own unaided work may also require action to change or annul results.

NAA will investigate all reports of alleged maladministration that relate to the accuracy or correctness of any pupil's results. NAA may, however, find it difficult to investigate to any great extent an allegation received anonymously. Investigations commencing with an anonymous allegation may be hampered and regrettably cease at an early stage.

NAA is responsible for forming the maladministration committee to hear cases and make decisions on changes to results and annulments.

⁶ *The education (national curriculum) (key stage 2 assessment arrangements) (England) order 2003.*

⁷ *The education (national curriculum) (key stage 3 assessment arrangements) (England) order 2003.*

Schools may appeal the decision of the maladministration committee to an independent appeals board.

1	Additional time
1.1	School applied for additional time for a pupil, which was denied. Schools gave additional time anyway (either by mistake or intentionally).
1.2	School did not apply for additional time for a pupil because it believed it did not need to. School gave additional time.
1.3	School gives additional time in the <i>Mental mathematics test</i> to pupils who are eligible for additional time in other tests.
2	Rest breaks
2.1	School gave a rest break but did not supervise pupils during the rest break and cannot guarantee that pupils did not discuss the test.
2.2	School gave a rest break but did not supervise pupils during the rest break but claims it can guarantee that pupils did not discuss the test.
2.3	School sent pupils out after test and then realised it had not given correct time allocation and called pupils back in to finish the test.
2.4	Disruption during the test (eg fire alarm) meant that pupils were evacuated from the hall. During the permitted 'rest break' pupils were not supervised and the school cannot guarantee that pupils did not discuss the test.
2.5	Disruption during the test (eg fire alarm) meant that pupils were evacuated from the hall. During the permitted 'rest break' pupils were not supervised but the school claims it can guarantee that pupils did not discuss the test.
3	Timetable variation
3.1	School varies the timetable and it is possible that test content has been shared with other pupils.
4	Use of equipment
4.1	Pupil uses a calculator on a non-calculator test.
4.2	Pupil uses inappropriate equipment in the <i>Mental mathematics test</i> (eg ruler).
4.3	Pupil uses a dictionary/spellchecker/word list in a test where this is not allowed.
5	Invigilation
5.1	Inappropriate sole invigilator used for a test (eg relative of the pupil).
6	Early opening
6.1	School opens test papers more than an hour in advance of the test but on the day of the test without permission.

<u>7</u>	Access arrangements
7.1	School used a word processor inappropriately in the way this access arrangement was applied (eg did not turn off the spell checker or thesaurus).
7.2	School used an amanuensis inappropriately in the way this access arrangement was applied (eg encouraging the pupil to say more to answer a question).
7.3	School used a reader inappropriately in the way this access arrangement was applied (eg giving away answers through voice intonation).
7.4	School spelt words for a child in a test where spelling is assessed.
7.5	School used a transcript inappropriately in the way this access arrangement was applied (eg allowed pupil to change answers while the transcript was being made).
7.6	School used prompting inappropriately in the way this access arrangement was applied (eg indicated questions that were incorrect).
<u>8</u>	Other
8.1	School administered test twice in the same year.
8.2	Inappropriate use of modified test materials (eg using flashcards with pupils without hearing impairment).

Related policy

- Monitoring visits policy.

Appendix B. National curriculum tests (NCT) maladministration committee procedures

1. Description and scope of the NCT maladministration committee
2. NCT maladministration committee membership 2007 test series
3. Attendance at the NCT maladministration committee
4. Conduct of investigations
5. Conduct of NCT maladministration committee meetings
6. 2007 test series NCT maladministration committee timeline
7. Appeals process

1. Description and scope of the NCT maladministration committee

The NCT maladministration committee is part of the management process of the national curriculum tests maladministration process. The NCT maladministration team conducts investigations into allegations of maladministration. Where the NCT maladministration team recommends a change to the result for a pupil (or pupils) or annulment of the results for a pupil (or pupils), this recommendation is put before the NAA NCT maladministration committee, which hears evidence from the team and the school involved in the investigation before making a final decision. It is not a formal hearing, a trial or a tribunal, but a process to ensure fairness and parity for schools and to enable confidence in the validity of national curriculum test results. Cross-examination is not seen as appropriate under the remit of the committee nor does the maladministration committee seek to apportion blame for any maladministration confirmed.

The maladministration committee is not a policy-making body. National curriculum tests policies are agreed and owned jointly by the DfES and NAA. The NCT maladministration committee cannot choose to amend or contradict agreed policies when making decisions relating to alleged cases of maladministration. The committee can refer a policy back to the DfES and NAA for review following a committee meeting, but decisions must be in line with existing, agreed policies.

The statutory instruments⁸ for key stage 2 and key stage 3 state that:

Where... and before the external marking agency have provided the record of the results to the head teacher under article 8(5), the authority determines that the accuracy or correctness of a pupil's results in respect of the national curriculum tests administered under article 5 is in doubt, the record of results to be provided

⁸ *The education (national curriculum) (key stage 2 assessment arrangements) (England) order 2003. The education (national curriculum) (key stage 3 assessment arrangements) (England) order 2003.*
© 2007 Qualifications and Curriculum Authority

by that agency to the head teacher shall be the record of results determined by the authority.

In cases where the record of results has not been returned to the school, it is for the committee to decide collectively on the level of doubt in any one case before arriving at a decision.

The statutory instruments for key stage 2 and key stage 3 also state that:

Where...and the external marking agency have provided the record of results to the head teacher under article 8(5), the authority determine that that record of the results is inaccurate or otherwise incorrect, the authority shall provide to the headteacher a record of the results determined by the authority and that record of the results shall be the record of the results for the pupil.

In cases where the record of results has been returned to the school, the committee must decide that the results are inaccurate in order to annul or change the results.

2. NCT maladministration committee membership 2007 test series

The committee will comprise six members, with three being NAA staff and three being practising headteachers or independent members from the teaching associations. The chair of the committee will be either the managing director of NAA or a director of a division within NAA. All members of the committee will be required to attend a training event before sitting on the committee. The six members of the committee will be drawn from the following pool:

- managing director of NAA
- senior NAA manager
- primary headteacher
- secondary headteacher
- representative nominated from the teaching associations.

An NAA policy specialist or, in his or her absence, a suitable substitute will advise the NCT maladministration committee as required during the proceedings, but will not be able to vote on any proposed decision. Members of the committee will be able to ask for clarification on matters of policy and how any decisions they may be considering would relate to the published national curriculum tests policies.

The committee officer will support the committee during the proceedings, take notes of decisions made and be the first point of contact for schools invited to attend a committee meeting on matters relating to the committee. The committee officer is not a member of the

© 2007 Qualifications and Curriculum Authority

NCT maladministration team and will not be able to answer queries about the cases being taken to the committee, the role is an administrative one. The committee officer will make all arrangements for the committee meetings and training events for members of the committee.

The director or other senior manager of NAA School and Centre Support will act as committee director, overseeing all arrangements for the training events and committee meetings, and briefing school representatives on their arrival for a committee meeting.

3. Attendance at the NCT maladministration committee

NAA NCT maladministration team	There will be a maximum of two members of the team present at each meeting
School representatives	There will be a maximum of three representatives of the school
LA representatives	If an LA investigating officer is attending a hearing, his or her role is to observe only

In cases where the school does not wish to be present at the committee meeting, but provides written statements, the committee officer will read out this information on behalf of the school.

4. Conduct of investigations

Investigations of reports of alleged maladministration will be carried out by the NCT maladministration team in accordance with the published *Maladministration policy* and *Maladministration procedures*. Where the NCT maladministration team decides to present a case for decision to the NCT maladministration committee, the committee officer will send the school copies of all relevant documents and evidence that will be presented to the committee at least 10 working days in advance of the committee meeting.

5. Conduct of NCT maladministration committee meetings

5.1 Before the committee meeting

Any school where there is an ongoing investigation into alleged maladministration will be aware via communications with members of the NCT maladministration team or its LA that

one possible outcome of the investigation is that the case will be presented to the NCT maladministration committee for decision. Where a decision is made to refer the case to the NCT maladministration committee, the committee officer will send a letter to the headteacher that will be copied to the chair of governors and LA. The letter will indicate the nature of the allegation, the time and date of the committee meeting, a brief description of the format of the committee meeting and the date by which the school can expect to receive copies of any relevant documentation, if this is not to be included with the letter. The school will have the option of attending the committee meeting or of sending in a written statement if it prefers. The letter will also include a web link to this document, the *Maladministration policy* and the *Maladministration procedures* for information purposes.

5.2 On the day of the committee meeting

The school representatives will be met by the director of NAA School and Centre Support or, in his or her absence, a suitable substitute and briefed on the proceedings.

5.3 During the meeting

The committee meeting will be recorded.

The committee may ask for advice on policy or clarification from the NAA policy specialist at any point during the proceedings.

The committee members can inspect any new evidence and findings, which have come to light within the 10-day period of the school receiving copies of all relevant documents and evidence.

The meeting will follow the following agenda:

- introductions by the chair
- presentation of findings by the NCT maladministration team
- opportunity for committee members to seek clarification from the NCT maladministration team
- presentation of relevant information by the school (or on behalf of the school by the committee officer)
- opportunity for committee members to seek clarification from the school
- summing up by NAA NCT maladministration team
- summing up by school.

At this point the NCT maladministration team members, the school representatives and any LA observers present will be asked to leave the room.

The NCT maladministration committee members will discuss the evidence and findings they have heard and seen. In particular they must consider:

- whether the accuracy or correctness of the results for any pupil or pupils is in doubt as a result of the actions taken by the school
- the implications of NCT policies on the case.

If the committee considers it necessary to further question either the NCT maladministration team or the school representatives, then all parties will be invited back into the meeting to hear such questions and responses given. The committee will reach one of the following decisions as a result of their deliberations:

- there is evidence of maladministration and sufficient doubt in the accuracy or correctness of pupil results leading to a decision to annul the results
- there is evidence of maladministration, sufficient doubt in the accuracy or correctness of pupil results and sufficient information on the marks affected by the maladministration leading to a decision to change the pupil results by deducting or adding marks to the affected questions for the pupil mark totals
- there is evidence of maladministration, but insufficient evidence to cast doubt on the accuracy or correctness of the results leading to a decision to uphold the marks but to require the school to provide detail of the measures it will put in place to ensure the tests are administered correctly in future years – the committee may also request via the maladministration team that an NAA or LA monitoring visit be made to the school in the following or subsequent years
- there is insufficient evidence to determine whether or not maladministration has occurred leading to a decision of no further action
- there is no evidence of maladministration leading to a decision of no further action.

Once the committee has reached a decision, all parties will reconvene. The chair of the committee will verbally communicate the decision of the committee, which will be noted in full by the committee officer.

5.4 After the meeting

The committee officer will confirm the decision of the committee in writing to all parties on the working day following the day on which the committee reached its decision. A detailed

letter and notes of the meeting will be sent to all parties within 15 working days of the committee meeting.

If it is appropriate, the school will also receive details of how it may appeal the decision of the committee if it so wishes.

6. 2007 test series NCT maladministration committee timeline

Independent members of the maladministration committee appointed	1 April
Training for maladministration committee members	19 April
Maladministration committee meeting 1	21 June
Maladministration committee meeting 2	28 June
Maladministration committee meeting 3	5 July
Maladministration committee meeting 4	12 July
Maladministration committee meeting 5	11 September
Maladministration committee meeting 6	2 October

7. Appeals process

Where a school wishes to contest the decision of the NCT maladministration committee, it has a right to appeal. Details of how to appeal will be sent to schools with the decision of the committee.

Appendix C. Maladministration flow chart

